



THE CITY OF NEW YORK
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BY E.C.F.

Honorable Andrew L. Carter, Jr.
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
New York, New York 10007

Re: Mayol v. City Of New York, et al.
10-cv-02024 (FB)(ALC)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department, and the attorney assigned to the defense of the above-referenced matter. City defendants respectfully write pursuant to Your Honor's April 20, 2011 order, with an update on the status of this case. The parties conferred in the preparation of this report.

As Your Honor may recall, at the last conference in this matter on April 20, 2011, the Court ordered that document discovery proceed. Indeed, since that time defendants have obtained documents and are in the process of providing same to plaintiff and co-defendant. More time, however, is needed to complete the document discovery portion of this case. Specifically, defendants have not yet been able to obtain a copy of the IAB file related to this incident. In addition, plaintiff has not yet responded to defendants discovery demands which seeks a number of necessary releases. Most important among those releases are for medical providers who have treated the plaintiff in the past. City defendants conferred with plaintiff's counsel, and believe that document discovery will take at least an additional two months. As such, defendants request that the Court extend the time for completion of document discovery until August 31, 2011.

In regard to the possible need for a settlement conference in this matter, City defendants do not believe that a settlement conference will be helpful at this point. Defendants need to obtain more information about plaintiff's medical history before they are able to make an offer in this case. To do that, we require responses to our discovery demands.

Accordingly, City defendants report that document discovery, as per the April 20, 2011 order, has proceeded. City defendants also respectfully request that document discovery continue until August 31, 2011, and that no settlement conference be scheduled at this point.

City defendants thank the Court for its time and consideration of this matter.

Respectfully submitted,

/s/

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